

Kathleen Olkowski
Notary Public, State of Delaware
My Commission Expires September 26, 2008

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NOTARY PUBLIC

Kathleen Olkowski

SWORN TO AND SUBSCRIBED before me this 19 of December, 2006.

RICHARD PIENDAK

Richard Piendak

1. I am the President of Richards Paving Inc.
2. I am personally aware of the number of full time employees, employed by Richards Paving.
3. Based on the above, Richards Paving employs less than 100 employees during at any and all times during the year.

I, Richard Piendak, having been duly sworn according to the law do depose and say:

STATE OF DELAWARE
NEW CASTLE COUNTY
SS.

AFFIDAVIT OF RICHARD PIENDAK IN SUPPORT OF
MOTION FOR REMITTUR

Stanford L. Burris
Plaintiff,
v.
Richards Paving, Inc.
Defendant
Civ. No. 04-1469-SLR

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE